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Candace Havens
Director

MEMORANDUM

DATE: August 1, 2014


TO: Alderman Marcia T. Johnson, Chairman
Members of the Zoning and Planning Committee

FROM: Candace Havens, Director of Planning and Development
James Freas, Associate Director of Planning and Development

RE: #237-14: ALD. SANGIOLO on behalf of concerned citizens
requesting a one-year moratorium on the demolition of single- and
two-family homes.

MEETING DATE: August 7, 2014

CC: Board of Aldermen
Planning and Development Board
Donnalyn Kahn, City Solicitor



As a desirable and largely developed City adjacent to metropolitan Boston's urban core, Newton is experiencing a surge of new investment with much of the associated development coming in the form of redevelopment. A portion of that activity consists of the demolition of existing residential buildings in order to replace them with new, frequently larger, homes. This type of development activity potentially raises a number of issues for a community, including how the new homes relate to the existing character of the community, whether there are additional impacts or benefits, and the effect on the overall diversity of housing types. Moratoriums can be used to temporarily halt specified types of development activities while plans and/or regulatory changes are developed and implemented to address the concerns identified. The idea is that the issue is of such a scale or level of concern that a time-out is necessary so that controls or mitigation measures can be put in place. Docket item #237-14 proposes a moratorium on the demolition of one and two-family homes.

In considering whether or not to establish a moratorium, there are three "best practices" to consider:

1. Clearly defined timeframe and endpoint;

2. A precise target such that the issue is narrowly defined and only that development activity which necessarily must be halted to address the issue is subject to the moratorium; and
3. Identified objectives – what will be the outcome of the work? – a plan, policy, regulation or other action and a scope of work for getting there.

Locally, the Town of Belmont recently completed a moratorium that provides a good example of the process. Belmont's moratorium included the following characteristics:

1. The moratorium spanned June 30, 2013 to June 30, 2014 with no extensions.
2. The issue of concern was the replacement of small single family homes with very large two-family homes considered to be out of character with the existing neighborhood. The moratorium prevented the demolition of one or two-family buildings in one zoning district where the intent was to replace that building with a two-family building.
3. Belmont developed a zoning amendment proposal for presentation to Town Meeting before the end of the moratorium period. The proposed amendment recognized that the root issue leading to the over-sized two-family homes was the suburban zoning imposed on a traditional small lot neighborhood which effectively drove development activity towards large buildings. The amendment reduced the minimum lot size to 5,000 square feet, adjusted setbacks and other dimensional restrictions to replicate the existing building character, and added a special permit requirement for two-family homes. The amendment was approved by Town Meeting.

DEMOLITION DATA

There are two datasets relevant to the discussion of tear-downs/rebuilds of one and two-family structures in Newton. Most directly applicable is demolition and building permit data as these numbers track directly with the number of buildings demolished and built within the City. As a largely developed community, the number of demolition permits tends to track closely with the number of building permits as something generally must be torn down in order to build something new. As one would expect, the number of permits issued also tracks closely with the economy; during the recession, there was a slow-down in building activity and since the end of the recession, building activity has picked up.

	FY06	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14
Demolition Permits	59	52	60	58	66	73	79	80	102
Residential Building Permits	65	43	57	48	48	74	78	81	110

With less than 17,000 single family homes in the City, demolitions account for approximately .5% of that building stock (note, as the demolition data here does not separate out garages, two-family, multi-family, or commercial properties, the percentage is likely lower) in any given year or 3.7% over the eight year period above.

The second set of relevant data is the demolition applications for review by the Newton Historic Commission. These reviews are for any structure over 50 years in age, including garages, and can be for full or partial demolition. The Historic Commission decides as to whether a property is “preferably preserved” based on its historic significance and, if it is found so, there is a one year delay on demolition. Consistent with the demolition permit data above, there has been a recent increase in demolition applications from 115 applications for full demolition in FY13 to 204 in FY14. These applications generally run higher than actual demolition permit applications as a number of these do not translate into an immediate demolition.

NEXT STEPS

The Planning Department recommends that the Zoning and Planning Committee first focus its discussion on the second moratorium “best practice” identified above; what is the issue to be addressed and, from that, what is the appropriate target for a moratorium? Some important questions to consider:

1. What is the specific issue of concern?
2. Is a moratorium necessary in order to effectively address the issue given the overall scale of demolitions in Newton (.5% of single-family structures per year)?
3. What additional data is necessary?
4. What are the impacts of a moratorium on residents and the City overall?

Once the issue is properly understood and a target type of development activity identified, the Committee can then discuss the proposed outcome and a timeframe in which to complete it.

Attachment: Law Department Memorandum

CITY OF NEWTON
LAW DEPARTMENT
INTEROFFICE MEMORANDUM

To: James Freas, Associate Director, Planning and Development Department
From: Maura E. O'Keefe, Assistant City Solicitor
RE: Docket Item #237-14, One Year Moratorium on the Demolition of Single and Two Family Homes
Date: July 31, 2014

MEMORANDUM OF LAW

I. **ISSUE**

What is the legal standard for enacting an interim zoning measure that would halt development on a temporary basis?

II. **APPLICABLE LAW – MORATORIUM STANDARD**

Under certain circumstances, the City may adopt zoning measures that place time restrictions on development. Any limitations must be temporary and reasonable in length of time. Sturgis v. Town of Chilmark, 380 Mass. 246, 252-253 (1980). The interim zoning measure must address a specific, clearly delineated and demonstrable issue that can be resolved through the enactment or amendment of a zoning ordinance. Collura v. Town of Arlington, 367 Mass. 881, 886 (1975). Additionally, in order to protect the due process rights of private parties, any interim zoning measure must bear a substantial relationship to the furtherance of a particularized goal authorized under the Zoning Act. W.C. Grace & Co. v. Cambridge City Council, 56 Mass.App.Ct. 559, 566 (2002). Thus, the temporary halting of development in a controlled, narrow manner is permissible in order to thoughtfully consider the impact of a specific zoning change. W.C. Grace, 56 Mass.App.Ct. at 567.

III. THE CASE OF BELMONT

For reference, the Attorney General's office had the opportunity to review the Belmont moratorium in the normal course of reviewing the town's by-laws. Belmont applied the moratorium solely to "single-family dwelling units that are being replaced with residential structures other than single family dwellings" in two of the town's twenty one zoning districts. In a letter to Belmont Town counsel, the AG's office approved the measure, finding that the moratorium was sufficiently tailored to allow the town to engage in a review of its comprehensive planning studies in order to address the specifically stated perceived harms. The AG's office concluded that the interim zoning measure was therefore, appropriately limited in time and scope, as directed by the Sturgis case.



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James Freas
Acting Director

MEMORANDUM

DATE: August 29, 2014

TO: Alderman Marcia T. Johnson, Chairman
Members of the Zoning and Planning Committee

FROM: James Freas, Acting Director of Planning and Development

RE: #237-14: ALD. SANGIOLO on behalf of concerned citizens
requesting a one-year moratorium on the demolition of single- and
two-family homes.

MEETING DATE: September 4, 2014

CC: Board of Aldermen
Planning and Development Board
Donnalyn Kahn, City Solicitor

The challenge of very large houses, residential buildings out of character for Newton's neighborhoods, is readily apparent throughout the City. This development activity, while still only occurring on a small percentage of Newton's residentially zoned lots, has an outsized impact as these so-called "monster-homes" stand out from their context. While this development activity is clearly driven by the desirability of the City in a recovering economy, creating higher land values and an opportunity to develop more expensive homes, it is also enabled by an outdated Zoning Ordinance whose regulations bear little relation to the physical character of the neighborhoods many citizens would like to protect. Addressing the issues raised by the concerned citizens indicated in the docket item, and equally important to many others throughout the City, requires that we proceed expeditiously with phase 2 of the Zoning Reform project.

NEWTON'S CURRENT ZONING ORDINANCE

Newton's Zoning Ordinance has many challenges, only some of which will be addressed through phase 1 of Zoning Reform. The ordinance represents an outdated approach to zoning, features regulations that are out of sync with Newton's existing neighborhoods, and, after years of piecemeal

amendments, is inconsistent and confusing. As was concluded by the Zoning Reform Group report adopted by the Mayor and Board of Aldermen, it is time to engage in comprehensive zoning reform.

The basic shape of Newton's current zoning ordinance, particularly as it defines the residential zoning districts, was established in the 1940s and 1950s. At that time the predominant approach to zoning was use-based; basically operating under the belief that simply by separating different land uses such as commercial areas and residential areas, and providing buffers on these, quality neighborhoods would be built and the potential negative impacts of development would be addressed. More than 50 years later, the practice of zoning regulation has evolved considerably. Zoning now focuses more directly on issues of design (but not architecture) with more regulation of the size, height, and location of buildings, on the relationship between buildings and the street and other public spaces, and on using zoning regulations to proactively define the desired community character rather than simply reacting to the submittals of developers and builders. This evolution in zoning regulation is even apparent in Newton's Zoning Ordinance where the newer districts like Mixed Use 3 and 4 align with a more modern approach. The lack of attention to design in Newton's zoning ordinance leads directly to the second problem, the inconsistency between the zoning districts and the existing City.

One of the primary concerns with new development in the City that has been raised is the replacement of smaller, contextually appropriate homes with larger homes that don't fit in. This outcome is enabled and encouraged by Newton's Zoning Ordinance, which was designed to create large lot residential areas where large homes could be built. These residential districts have little relationship to the existing neighborhoods they regulate as the same zoning district in many cases applies to large Victorian homes built on relatively small lots in the late 1800s (pre-zoning ordinance) as well as small ranch homes on large lots built after 1950. As the FAR Working Group noted in their final report, "Working within existing zoning designations presents challenges to preserving the character of each neighborhood." With a more design-oriented approach to zoning, zoning district regulations would be more closely tied to the rich variety of Newton's neighborhoods. The mismatch between Newton's Zoning Ordinance and the existing character of Newton's neighborhoods has led to many different ordinance amendments over the last several decades that have attempted to respond to the ordinance's undesirable outcomes.

Zoning is best developed as an implementation tool of good planning. By setting a vision and goals for the community, planning allows an understanding of what the desired outcomes of the zoning ordinance are, which can then be codified into a coherent and consistent set of regulations. A piecemeal approach to zoning amendments, without the guidance of a plan, leads to inconsistencies and unintended consequences. Ultimately, where the outcomes of Newton's zoning ordinance are inconsistent with the expectations and needs of the community, changes to individual rules will be ineffective if the overall structure of the Zoning Ordinance, the zoning districts, is not addressed.

Newton's recent experience with changing the FAR regulations provides a good case study of the inadequacies of attempting to use small ordinance amendments to address the structural deficiencies of the current ordinance. The FAR Working Group was composed of talented, thoughtful, and diligent Newton citizens who worked for a year to come up with the best possible amendment to the FAR regulations that would, "more accurately reflect current conditions [existing community character], be easier to apply and enforce, and result in new construction that is in keeping with surrounding structures and the *Newton Comprehensive Plan*." The FAR amendment has largely not met these

goals, not because of any fault with the amendments themselves, but because of the narrow, piecemeal approach of the identified task rather than comprehensively addressing the whole ordinance.

ZONING REFORM

The Planning Department is moving as quickly as is possible to complete phase 1 of the Zoning Reform project and to begin phase 2. Over the coming months there will be opportunities for more detailed conversations with the Zoning and Planning Committee and the Board of Aldermen on the planning process and goals for this project. Fundamentally, one of the outcomes of zoning reform must be an ordinance that recognizes and protects Newton's character and history while offering Newton's current and future residents diverse choices in the types of homes and neighborhoods they may live in. Achieving this outcome will require robust community engagement, a focus on design and understanding clearly how proposed regulations would influence how places look and change over time, and, importantly, that planning leads the development of zoning. Accomplishing zoning reform, and doing a good job, will take time, the amount of which will be determined as the work plan is finalized in discussion with the Board of Aldermen.

The Planning Department is proposing a Village and Neighborhood Master Plans approach to the Zoning Reform project. The approach begins with community-based master planning, leading to the creation of zoning districts that reflect local character and community needs and expectations. This approach is clearly recommended in *Newton's Comprehensive Plan* and provides the greatest opportunity to tailor zoning to the unique characteristics of the many different village centers, commercial districts, and residential neighborhoods in the City. With the completion of the reformatting of the Zoning Ordinance through phase 1, new zoning districts will be able to be adopted into the Zoning Ordinance as they are completed.

HOME DEMOLITION MORATORIUM

The proposed demolition moratorium is a response to a legitimate concern over the loss of character and diversity of housing in the City of Newton. With an annual demolition rate of only .6% of Newton's housing stock though, it does not seem necessary to impose a moratorium at this time, especially given the existing controls in place and the potential impacts imposed on many Newton homeowners. The issues of concern must be addressed quickly, but a moratorium would likely rush a process that must necessarily take time if it is to be done correctly with full community participation.

While the FAR amendments have not solved the problem as intended, they have led to many more home building and renovation projects in the City being subject to special permit. That special permit process offers an opportunity to control some of the concerns raised and is generally applicable to large areas of the City where the existing zoning districts are applied to homes built before the adoption of the Zoning Ordinance. Attached dwellings are also subject to special permit.

A moratorium, though apparently targeted at builders developing "monster homes" would also impact existing or new homeowners of homes in very poor condition. Many of the single family homes in Newton that have such relatively low prices are more affordable because they are in disrepair, are functionally obsolete, and/or are configured in ways that are very difficult to renovate.

Demolitions are a necessary part of the continual renewal of Newton's housing stock. A good moratorium is clearly and narrowly focused on the problem to be solved to limit those affected to the greatest extent possible. In this case, the problem is structurally built into the entire Zoning Ordinance as it applies across the entire City, allowing few options to limit impacts. The better approach is to work diligently village by village to build zoning districts that work and adopt them as they are completed.

NEXT STEPS

The Planning Department will be bringing the final draft of the phase 1 Zoning Ordinance to the Zoning and Planning Committee within the next month for review and public hearing. Discussions will also begin this fall on the work program, community engagement methodologies, and project timeline for phase 2.



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James Freas
Acting Director

MEMORANDUM

DATE: October 10, 2014

TO: Alderman Marcia T. Johnson, Chairman
Members of the Zoning and Planning Committee

FROM: James Freas, Acting Director of Planning and Development
Eve Tapper, Acting Associate Director of Planning and Development

RE: #237-14 ALD. SANGIOLO requesting amendments to the City of Newton Zoning Ordinance, Chapter 30, to create a temporary moratorium, to extend no later than December 31, 2015, on the full or partial demolition of single- and two-family residential dwellings where the gross floor area of the replacement structure or the gross floor area of the resulting structure including any addition will be greater than 120% of the gross floor area of the existing structure. Such moratorium is for the purpose of allowing the City adequate time to complete a planning process to address the loss of the City's more moderately priced housing stock and the impacts on neighborhoods resulting from full and partial demolitions of existing single- and two-family residential dwellings where the replacement or addition results in large scale buildings out of character with the surrounding neighborhood. During this moratorium this City will consider adoption of zoning amendments to modify dimensional or other controls on construction of single and two-family residential dwellings.

MEETING DATE: October 15, 2014

CC: Board of Aldermen
Planning and Development Board
Donnalyn Kahn, City Solicitor

EXECUTIVE SUMMARY

Petition #237-14 proposes a zoning amendment that would place a moratorium until December 31, 2015 on one- and two-family full and partial residential demolitions where the replacement structure will be greater than 120% of the size of the original. While intended to address the recent growth in single-family home “tear-downs”, the proposal would significantly impact Newton residents and is unlikely to address the issues presented. The Zoning and Planning Committee held two working sessions (August 7th and September 4th) on this issue before agreeing on September 4th to formalize the docket language and bring the item to a public hearing on October 15th.

BASIS FOR THE PROPOSED MORATORIUM

The proponents of this proposed zoning amendment assert that the demolition of older homes in Newton and their subsequent replacement with newer, significantly larger and more expensive single-family homes or with multi-family dwellings have led to the problems of:

- additional density in the city
- physical and fiscal stresses on City infrastructure; and
- the loss of:
 - the integrity and character of existing neighborhoods
 - moderately-priced houses, as defined as residences in Newton that cost \$800,000 or less to purchase
 - historic houses
 - the mature tree canopy and neighborhood green space; and
 - socio-economic and generational diversity

To quantify this issue, the following table shows the number of residential buildings that have been demolished in the City since fiscal year 2009. The table also reports the number of new house building permits that have been issued over that same period. These numbers are slightly lower than previously reported as staff did a second review and removed permits issued for garages and commercial structures. As expected, in a largely developed community like Newton, the number of demolition permits tracks closely with the number of building permits.

	FY09	FY10	FY11	FY12	FY13	FY14
Demolition Permits*	44	54	64	72	80	102
New House Building Permits*	48	48	68	69	81	110

*Includes single-, two- and multi-family buildings

The sponsors believe that a more than one-year moratorium on these residential demolitions will allow the community to address several issues that contribute to these problems including:

- the size, setback and height of new construction
- conversions from single-family to multi-family dwellings
- the often confusing distinction between two-family dwellings and attached dwellings

- the design of homes that do not face the street or whose front facades are dominated by garages
- topographical changes and drainage issues and;
- the need to preserve “naturally affordable” housing stock

CONSIDERATIONS FOR A DEMOLITION MORATORIUM IN NEWTON

Moratoriums represent an extreme level of regulation as they effectively remove an entire category of property rights for a period of time. Implementation of a moratorium should therefore be done with careful consideration for the balance between the severity of the problem to be addressed and the impact of a moratorium.

According to the Newton Assessor’s office, 91.1% of the 19,807 single- and two-family residences in the City were built before 1964. As all of these homes are now over 50 years old, the Newton Historical Commission must review any demolition application (see section below for more detail on this process). Thirty-two percent of the homes less than 50 years old were built since 2003 and given their age are unlikely candidates for to be torn down. Of the remaining homes built since 1965, only 752 houses have 3000 square feet of living area or less which make them the most likely teardown options. Simply said, the proposed demolition moratorium would only add protection to these 752 houses while its impact would be felt by residents throughout the City. While the proponents of the proposed moratorium have some legitimate concerns, their solution is not an appropriately balanced approach to addressing these issues.

Existing controls on demolition The proponents of this amendment are concerned about the large number of homes that have been demolished in Newton each year over the last several years and they expect this trend to continue. This statement is misleading and suggests that there are no controls currently in place to prevent wholesale demolition throughout the city. On that point, the City’s demolition delay ordinance requires homeowners who wish to completely or partially demolish homes that are at least 50 years old to apply first to the Newton Historical Commission. If the Commission finds the structure to be historically significant, including with respect to the historic context of the neighborhood, it can impose a one-year demolition delay on the property (18 months if the property is on or eligible to be on the National Register of Historic Places).

In fiscal year 2014, the Commission reviewed 254 demolition applications. Of that total, 172 were for full demolitions, the rest requested only partial demolition (82). The Commission found that 69 structures should be “preferably preserved” and imposed a demolition delay. For many of these applicants, the delay already placed on their properties will expire before the proposed moratorium. While the purpose of the demolition delay is to incentivize property owners to find a way to accomplish their goals for their property without demolishing an historic structure, sometimes this is not possible. The proposed moratorium will unfairly change the rules mid-stream for these property owners and further delay long-awaited construction plans.

Enforcement

A moratorium like the one proposed will be difficult to enforce. The proposed language would prohibit full and partial demolition if the replacement structure will be greater than 120% of the

original. But the language does not address what would happen if there are no plans available for a replacement at the time the demolition permit is submitted. Further, there is no guidance regarding a situation where the replacement plans show a structure that is less than 120% of the original, but changes are made during the construction period and the final structure exceeds that threshold. Adopting this unenforceable regulation will have the same outcome as not adopting the provision at all. But many residents, who have planned their retirement based on selling their property in Newton for fair market value in the next year, could be adversely affected

Additional density

According to the proponents, the moratorium will not apply to projects that require a special permit from the Board of Aldermen. Since current zoning does not allow multi-family developments (i.e. three or more units) by right anywhere in the City, the moratorium will not prevent projects that may significantly increase density in a particular neighborhood. In addition, 40B affordable housing projects would not be subject to local zoning ordinances and regulations and would therefore not be bound by the moratorium on residential demolition. As a result, the only additional density that could be curbed by the proposed zoning amendment is the by-right conversion of a single-family home into a two-family dwelling. These by-right scenarios add only one additional housing unit at a time, which certainly is not the cause of traffic and other infrastructure problems.

Finally, while staff understands the desire for clarification on the design parameters of two-family dwellings that tend now to look like more like townhouses rather than the traditional double-deckers or “Philadelphia-style” two-family structures, this problem developed over time in a piecemeal manner and will take time to be resolved in a meaningful and comprehensive way.

Special Permit exemption

As noted in the section above, the zoning amendment would not apply to special permit projects approved by the Board of Aldermen. Floor area ratio (FAR) is a dimensional control that measures the massing of a building. It is calculated as the ratio between the size of the house and the size of the lot. For each zoning district in Newton, there is a limit for FAR that cannot be exceeded except with a special permit. If a moratorium is approved, homeowners may choose to apply for a special permit to exceed FAR and thus be allowed to avoid the moratorium. Not only would these new homes be necessarily larger than what could be built by right, the Board would have to process several more special permits per year.

Neighborhood character

The City of Newton is made up of 13 villages and surrounding residential neighborhoods. Each village center and its surrounding areas have a distinct character. While it is not the purpose of this memo to describe the character of each village a few examples are helpful. The storefronts along Watertown Street in Nonantum are primarily smaller than elsewhere in the City. They are also often locally-owned and neighborhood-oriented. The residential neighborhoods in and around the village consist of modest homes on small lots. At the other end of the spectrum is Chestnut Hill whose commercial spine along Boylston Street (Route 9) is made up of high-end retail outlets clustered within several shopping malls. The residential character in this area of the City is also upscale with many significant-sized and historic homes.

A final example is the village of Oak Hill on the south side of the Newton. Oak Hill has very limited commercial activity and its primary residential neighborhood, Oak Hill Park, was completely built-out in only a few years on land the City purchased to provide housing for returning veterans after World War II. The original houses were built along and faced an internal path system to encourage community interaction. In recent years as the original residents in this neighborhood have aged and moved on, the character of this neighborhood has changed significantly. A large number of the smaller, starter homes have been purchased, demolished and replaced by much larger buildings that now face the roadway system and not the internal pathways.

This change in Oak Hill Park and the fear that it will happen at the same rate in other neighborhoods in the city may be the driving force behind this zoning amendment. But change will come in every neighborhood whether we plan for it or not. So we need to thoughtfully plan for the change that we, as a community, want to see in each of our neighborhoods. To do this takes time. First, we need to understand existing conditions, engage with the community about future needs and expectations, and only then can we develop appropriate plans, policies and regulations.

Moderately priced housing

Supporters of the proposed moratorium on demolition have stated that one of the problems that the so-called rapid demolition of homes in Newton has caused is the loss of moderately priced housing. They define this category as homes priced at “less than \$800,000.” The median home price in Newton in 2013 was \$884,000 (according to the Newton Assessing Department). In order to afford a house at this price using industry standard assumptions for interest rates, mortgage insurance and percent of income spent on housing costs, a family or individual would have to make between \$145,000 and \$244,000 per year. The median income for a Newton household of four is \$104,887, while the area median income (AMI) for a household of four in the Boston-Cambridge-Quincy area that includes Newton is \$94,400. Using industry standards for housing costs and interest rates a household earning the Newton median income can afford a home priced between \$382,000 and \$635,500 and a household earning 100% of the regional AMI can afford a house priced between \$343,650 and \$572,000.

Unfortunately there is little or no housing stock in Newton being offered for sale at these prices. Planning staff contends that to truly address the problem stated as the loss of socio-economic and generational diversity in the City, we must address the issue of housing for low-and moderate-income families and individuals, and for higher-income wage earners and older adults who want to “age in place” in Newton all of whom are still priced out of the local housing market where the median sale price is almost \$900,000 and rising driven by regional housing dynamics characterized by high demand and low supply.

ALTERNATIVE SOLUTIONS TO THE IDENTIFIED PROBLEMS

Amendment proponents believe that a moratorium on residential demolition will allow City staff, residents and decision-makers adequate time to address the problems identified through the imposition of limits on the size, setback and height of newly constructed buildings and through

regulations that require specific architectural designs (i.e. houses that face the street and/or do not have the protruding garages). This is a lofty goal.

The Floor Area Ratio (FAR) Working Group was formed with a similar directive – to “more accurately reflect the current conditions [existing community character], be easier to apply and enforce, and result in new construction that is in keeping with surrounding structures and the *Newton Comprehensive Plan*.” In its final report, the Working Group keenly noted that “[w]orking within existing zoning designations presents challenges to preserving the character of each neighborhood.” If as stated by the amendment sponsors, one of the main purposes of the proposed moratorium is to allow time to adopt regulations to preserve neighborhood character, we will have difficulty similar to that of the FAR Working Group if we try to find a relatively quick “one-size fits all” policy to solve the problem.

Instead of implementing piecemeal fixes to the systemic problems highlighted in this memo, Planning staff recommends that we address the legitimate concerns of the proponents of this zoning amendment by setting a vision and goals for the community. Good planning allows an understanding of what the desired outcomes of the zoning ordinance are, which can then be codified into a coherent and consistent set of regulations.

The Planning Department is proposing a Village and Neighborhood Master Plans approach to phase 2 of the Zoning Reform project. The approach begins with community-based master planning, leading to the creation of zoning districts that reflect local character and community needs and expectations. This approach is clearly recommended in *Newton’s Comprehensive Plan* and provides the greatest opportunity to tailor zoning to the unique characteristics of the many different village centers, commercial districts, and residential neighborhoods in the City. With the completion of the reformatting of the Zoning Ordinance through phase 1, new zoning districts will be able to be adopted into the Zoning Ordinance as they are completed.

NEXT STEPS

The Planning Department will be bringing the final draft of the phase 1 Zoning Ordinance to the Zoning and Planning Committee within the next month for review and public hearing. Discussions will also begin this fall on the work program, community engagement methodologies, and project timeline for phase 2.